

\$APR 12685
2700
#17
2/19/03
JH

PTO/SB/31 (02-01)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)
600456-0023 B644189

RECEIVED

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" on 02/05/2003.

Signature _____
Typed or printed name Kelly Breeze

In re Application of
Underbrink, et al.
Application Number 09/394,189 Filed 09/13/1999
Technology Center 2600
For Directional Antenna for Hand-Held Wireless Communications Device
Group Art Unit 2685 Examiner Craver, Charles R.

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 320.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- ☒ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 01-0657. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- I am the
- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- ☒ attorney or agent of record.
- ☐ attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) _____

Signature
Reg. No. 39,348
Christopher J. Rourk
Typed or printed name
02/05/2003
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

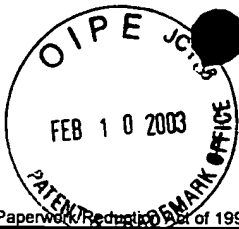
☒ *Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

02/12/2003 MBERHE 00000002 09394189

01 FC:1401

320.00 0P



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB approval number.

PTO/SB/17 (10-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$320.00)

Complete if Known

Application Number 09/394,189
Filing Date September 13, 1999
First Named Inventor Paul A. Underbrink
Examiner Name Charles Craver
Group Art Unit 2685
Attorney Docket No. 600456/0023 (B64418C)

RECEIVED
FEB 12 2003
Technology Center 2600

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																																											
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number 01-0657</p> <p>Deposit Account Name Akin Gump Deposit Account</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>		<p>3. ADDITIONAL FEES</p> <table border="1"><thead><tr><th>Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr><tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td>320.00</td></tr><tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of information Disclosure Stmt</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>1810</td><td>750</td><td>2810</td><td>375</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="5">Other fee (specify)</td><td></td></tr><tr><td colspan="5">SUBTOTAL (3) (\$)</td><td>320.00</td></tr></tbody></table>		Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	410	2252	205	Extension for reply within second month		1253	930	2253	465	Extension for reply within third month		1254	1,450	2254	725	Extension for reply within fourth month		1255	1,970	2255	985	Extension for reply within fifth month		1401	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a brief in support of an appeal	320.00	1403	280	2403	140	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,300	2453	650	Petition to revive - unintentional		1501	1,300	2501	650	Utility issue fee (or reissue)		1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))		1801	750	2801	375	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify)						SUBTOTAL (3) (\$)					320.00
Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																								
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																																									
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																									
1053	130	1053	130	Non-English specification																																																																																																																																																																																									
1812	2,520	1812	2,520	For filing a request for ex parte reexamination																																																																																																																																																																																									
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																									
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																									
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																																									
1252	410	2252	205	Extension for reply within second month																																																																																																																																																																																									
1253	930	2253	465	Extension for reply within third month																																																																																																																																																																																									
1254	1,450	2254	725	Extension for reply within fourth month																																																																																																																																																																																									
1255	1,970	2255	985	Extension for reply within fifth month																																																																																																																																																																																									
1401	320	2401	160	Notice of Appeal																																																																																																																																																																																									
1402	320	2402	160	Filing a brief in support of an appeal	320.00																																																																																																																																																																																								
1403	280	2403	140	Request for oral hearing																																																																																																																																																																																									
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																									
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																									
1453	1,300	2453	650	Petition to revive - unintentional																																																																																																																																																																																									
1501	1,300	2501	650	Utility issue fee (or reissue)																																																																																																																																																																																									
1502	470	2502	235	Design issue fee																																																																																																																																																																																									
1503	630	2503	315	Plant issue fee																																																																																																																																																																																									
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																									
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																																									
1806	180	1806	180	Submission of information Disclosure Stmt																																																																																																																																																																																									
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																									
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																									
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																									
1801	750	2801	375	Request for Continued Examination (RCE)																																																																																																																																																																																									
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																									
Other fee (specify)																																																																																																																																																																																													
SUBTOTAL (3) (\$)					320.00																																																																																																																																																																																								
<p>1. BASIC FILING FEE</p> <table border="1"><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1001</td><td>750</td><td>2001</td><td>375</td><td>Utility filing fee</td><td></td></tr><tr><td>1002</td><td>330</td><td>2002</td><td>165</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>520</td><td>2003</td><td>260</td><td>Plant filing fee</td><td></td></tr><tr><td>1004</td><td>750</td><td>2004</td><td>375</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="4">SUBTOTAL (1) (\$)</td><td></td></tr></tbody></table> <p>2. EXTRA CLAIM FEES</p> <table border="1"><thead><tr><th>Total Claims</th><th>Extra Claims</th><th>Fee from below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>19</td><td>-20** = 0</td><td>\$18.00</td><td>\$.00</td></tr><tr><td>Independent Claims</td><td>4 - 4** = 0</td><td>\$84.00</td><td>\$.00</td></tr><tr><td>Multiple Dependent</td><td>-0-</td><td>-0-</td><td>-0-</td></tr></tbody></table> <table border="1"><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr><tr><td>1001</td><td>84</td><td>2201</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>1203</td><td>280</td><td>2203</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>1204</td><td>84</td><td>2204</td><td>42</td><td>**Reissue independent claims over original patent</td><td></td></tr><tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td><td></td></tr><tr><td colspan="4">SUBTOTAL (2) (\$)</td><td>.00</td></tr></tbody></table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1001	750	2001	375	Utility filing fee		1002	330	2002	165	Design filing fee		1003	520	2003	260	Plant filing fee		1004	750	2004	375	Reissue filing fee		1005	160	2005	80	Provisional filing fee		SUBTOTAL (1) (\$)					Total Claims	Extra Claims	Fee from below	Fee Paid	19	-20** = 0	\$18.00	\$.00	Independent Claims	4 - 4** = 0	\$84.00	\$.00	Multiple Dependent	-0-	-0-	-0-	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1202	18	2202	9	Claims in excess of 20		1001	84	2201	42	Independent claims in excess of 3		1203	280	2203	140	Multiple dependent claim, if not paid		1204	84	2204	42	**Reissue independent claims over original patent		1205	18	2205	9	**Reissue claims in excess of 20 and over original patent		SUBTOTAL (2) (\$)				.00	<p>**or number previously paid, if greater; For Reissues, see above.</p>																																																																																													
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																																																																																										
1001	750	2001	375	Utility filing fee																																																																																																																																																																																									
1002	330	2002	165	Design filing fee																																																																																																																																																																																									
1003	520	2003	260	Plant filing fee																																																																																																																																																																																									
1004	750	2004	375	Reissue filing fee																																																																																																																																																																																									
1005	160	2005	80	Provisional filing fee																																																																																																																																																																																									
SUBTOTAL (1) (\$)																																																																																																																																																																																													
Total Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																																										
19	-20** = 0	\$18.00	\$.00																																																																																																																																																																																										
Independent Claims	4 - 4** = 0	\$84.00	\$.00																																																																																																																																																																																										
Multiple Dependent	-0-	-0-	-0-																																																																																																																																																																																										
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																																																																																										
1202	18	2202	9	Claims in excess of 20																																																																																																																																																																																									
1001	84	2201	42	Independent claims in excess of 3																																																																																																																																																																																									
1203	280	2203	140	Multiple dependent claim, if not paid																																																																																																																																																																																									
1204	84	2204	42	**Reissue independent claims over original patent																																																																																																																																																																																									
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																									
SUBTOTAL (2) (\$)				.00																																																																																																																																																																																									

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Christopher J. Rourke	Registration No. (Attorney/Agent)	39,348	Telephone	214-969-4669
Signature		Date	February 5, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.